

MAY-30-2008 FRI 10:04 AM

FAX NO.

P. 01

STATE OF NEW YORK SOUTHERN DIST. COUNTY U. S. DISTRICT COURT
DOCUMENTS SERVED WITH INDEX # 08 CIV-3888 AND FILED ON APRIL 24, 2008
ATTORNEY(S) Intercounty Judicial Service

Lola B. Thorpe, Indv., and on behalf of all others similarly Situated

Plaintiff(s)/Petitioner(s)

Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer US, Inc.

Defendant(s)/Respondent(s)

STATE OF NEW YORK: COUNTY OF ALBANY

SS.:

Christopher Warner

being duly sworn deposes and says deponent is not a party herein.

is over the age of eighteen years and resides in the State of New York. That on

May 27, 2008 at 3:45 pm M

at Corporation Service Company, 80 State St., Albany, NY

deponent (did, did not) serve the within

Summons in a Civil Action and Complaint and Demand for Jury Trial

on: Zimmer US, Inc. Defendant (herein called recipient) therein named.

#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORP

☒

A corporation, by delivering thereof a true copy of each to Kevin Vohnoutka personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be Agent for Service thereof.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person, including an effort to reach the defendant by telephone, (if such telephone number was available) and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON

☐

By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state

#4 AFFIXING TO DOOR

☐

By affixing a true copy of each to the door of said premises, which is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.

#5 MAILING COPY

☐

On deponent completed service under the last two sections by depositing a copy of the

to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

Deponent called at the aforementioned address on the following dates and times:

on the day of at
on the day of at
on the day of at
on the day of at

#6 NON-SERVICE

☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following:
[] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other

#7 DESCRIPTION

☒

(use with #1, 2 or 3)

A description of the Defendant, or other person served, on behalf of the Defendant is as follows:
Sex Male Color of skin White Color of hair Brown Approx. Age 38 - 50 Yrs. Approx. Height 5' 9" - 6' 0" Approx. weight 161 - 200 Lbs Other

#8 WIT FEES

☐

\$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not.

Sworn to before me on this

29th day of May, 2008

Nancy L. Gordon
Notary Public

NANCY L. GORDON
Notary Public, State of New York
Qualified in Rensselaer County
Reg. No. 01604503730
Commission Expires June 30, 2011

Christopher Warner
Christopher Warner

ALEXANDER, POOLE & Co., INC. • 11 NORTH PEARL STREET • ALBANY, NEW YORK, 12207